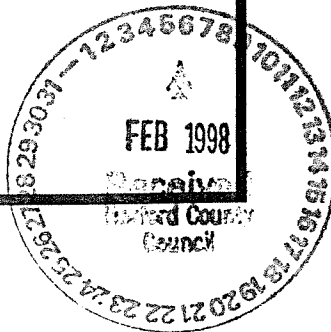


ZONING RECLASSIFICATION APPLICATION

Harford County Board of Appeals

Bel Air, Maryland 21014

Shaded Area For Office Use Only



Case No. 076

Date Filed 1-30-98

Hearing Date _____

Pre-Conf. _____

Receipt _____

Fee \$700⁰⁰

Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

Petitioner

Name Raymond O. German Phone Number Call Attorney

Address 2518 Johnson Mill Road Forest Hill MD 21050
Street Number Street State Zip Code

Property Owner same as above Phone Number _____

Address _____
Street Number Street State Zip Code

Contract Purchaser N/A Phone Number _____

Address _____
Street Number Street State Zip Code

Attorney/Representative John J. Gessner Phone Number 410-893-7500

Address Hertsch, Gessner & Snee
11 South Main St., P.O. Box 1776 Bel Air MD 21014
Street Number Street State Zip Code

Hearing: 4/29/98

Land Description

Address and Location of Property (with nearest intersecting road) 2434 Johnson Mill Road

Subdivision Land of Virginia Scarff Lot Number 2 Acreage/Lot Size 20.22 Election District Third

Existing Zoning AG Proposed Zoning RR Acreage to be Rezoned 20.22

Tax Map No. 34 Grid No. 3A Parcel 433 Deed Reference 1472/0989

Critical Area Designation N/A Land Use Plan Designation Rural Residential

Present Use and ALL improvements: vacant

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.

Example: Conventional, Conventional with Open Space, Planned Residential Development) low intensity -
single family detached lots

Is the property designated a historic site, or does the property contain any designated or registered historic structures?

No If yes, describe: _____

Estimated Time Requested to Present Case: 30 minutes

Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

ATTACHMENT A
FOR ZONING RECLASSIFICATION APPLICATION OF RAYMOND O. GERMAN

The Zoning Reclassification Application requests the following information.

Petitioner's submission is as follows:

"(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation."

Petitioner: See attachment A-1, List of Adjoining Property Owners.

"(b) A statement of the grounds for the application including:

"(1) A statement as to whether there is an allegation of mistake as to the existing zoning and, if so, the nature of the mistake and facts relied upon to support this allegation."

Petitioner: A mistake occurred in the legal sense when the subject property was zoned AG during the last Comprehensive Rezoning in 1989. The County Council erroneously assumed that the subject property should be zoned AG. As a result of development in the area, changes in the Master Plan, Master Water and Sewer Plan and other factors which have occurred since the last Comprehensive Rezoning in 1989, the property's AG zoning classification is no longer appropriate. The subject property should be rezoned RR.

"(2) A statement as to whether there is an allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change."

Petitioner: Petitioner makes such an allegation. As a result of development in the area, changes in the Master Plan, Master Water and Sewer Plan and other factors which have occurred since the last Comprehensive Rezoning in 1989, the neighborhood has substantially changed.

"(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion."

Petitioner: The proposed classification is in conformance with the Master Plan.

"(d) A concept plan shall be submitted by the applicant at the time the application is filed. The concept plan shall illustrate the following:

1. Location of site;
2. Proposed general nature and distribution of land uses but need not include engineered drawings;
3. Neighborhood;
4. All surrounding zoning; and
5. Proposed public or private capital improvements.

Petitioner: See attachment A-2.

"(e) List previous rezonings and recommendations since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions."

Petitioner: None.

"(f) Map indicating woods, fields, streams, floodplains, non tidal wetlands, etc."

Petitioner: See Attachment A-3

"(g) Property deed, and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property."

Petitioner: See Attachments A-4 (Title Deed) and A-3

"(h) Private restrictions or covenants, if any, applicable to subject parcel."

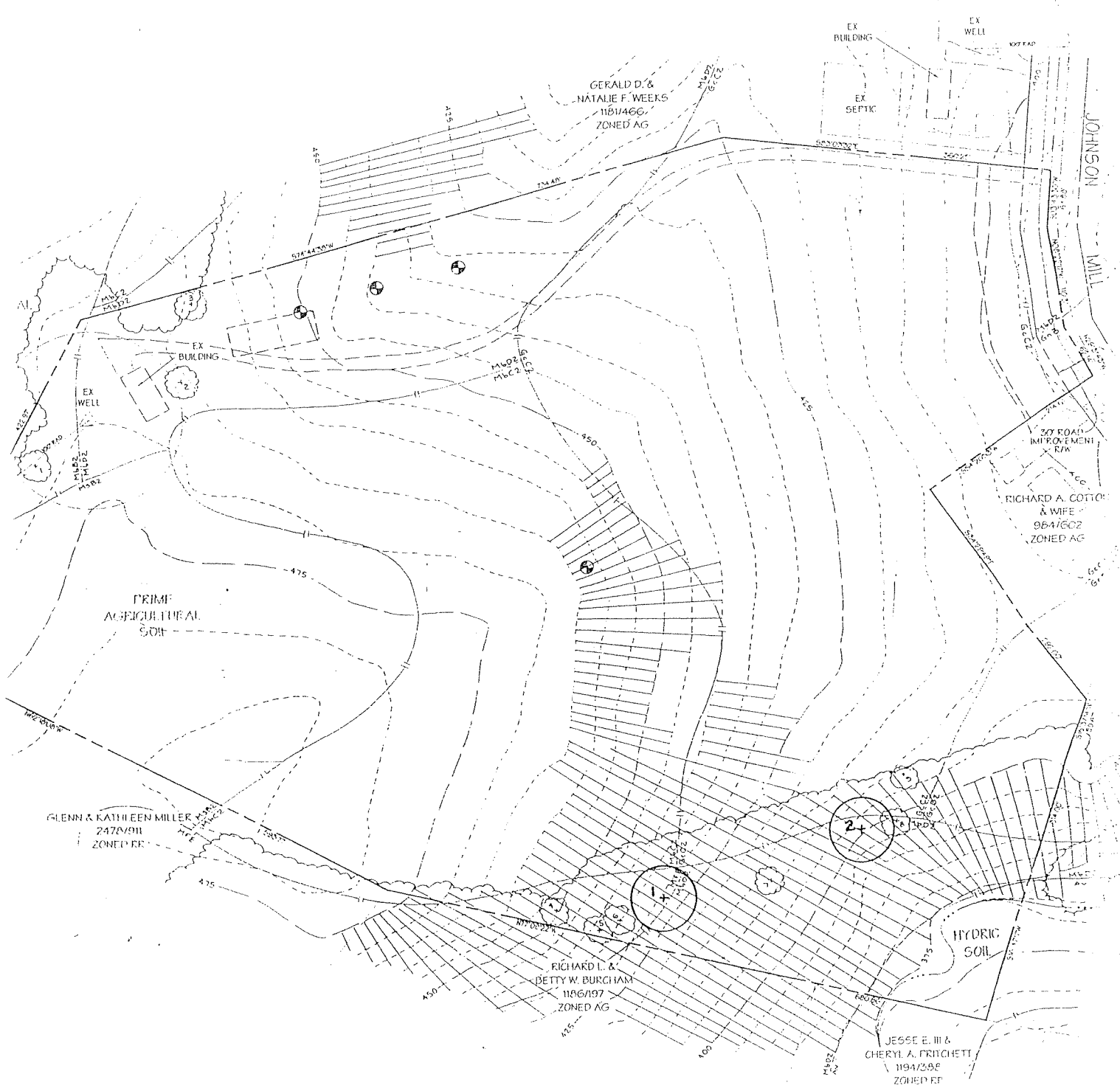
Petitioner: None

"(i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted."

Petitioner: None .

"(j) Availability of public water and sewer."

Petitioner: Private well and septic service are provided on the property.



LEGEND

WATER COURSE.....
SOILS LINE.....
PTFF LINE.....